

# **Promoting High-Quality Judicial Cooperation to Foster a Sound Law-Based Environment for Belt and Road Cooperation**

**(Translation)**

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**Honorable chief justices, presidents of supreme courts,**

**Justices and judges,**

**Diplomatic envoys to China,**

**Distinguished guests, ladies and gentlemen, friends:**

The Belt and Road Initiative was proposed by Chinese President Xi Jinping in 2013. Over the past 10 years, with joint efforts from various countries, this initiative has exerted a significant and far-reaching impact, continuously yielding fruitful outcomes. It has created new opportunities for global economic growth, established new platforms for international trade and investment, enhanced the development capacity and livelihood of countries involved, enriched the practices for improving the global governance system, and offered greater certainty and stability to an ever-changing world. During the opening ceremony of the third Belt and Road Forum for International Cooperation, President Xi Jinping delivered a keynote speech, where he pointed out “the Belt and Road cooperation is based on the principle of extensive consultation, joint contribution and shared benefits. It transcends differences between civilizations, cultures, social systems, and stages of development. It has opened up a new path for exchanges among countries, and established a new framework for international cooperation. The Belt and Road Initiative represents humanity’s joint

pursuit of development for all.” Guided by the Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era, Chinese courts are actively implementing the Xi Jinping Thought on Diplomacy and on the Rule of Law, and striking a balance between stability and progress as well as between traditions and innovation. Focusing on the ongoing pursuit of “justice and efficiency” in judicial work, Chinese courts are working to expedite the modernization of the judiciary and continuously deepen judicial exchanges and cooperation with countries involved in the Belt and Road, thus providing judicial services and guarantee for the high-quality Belt and Road cooperation.

**Firstly, creating a safe and stable social environment.** Safety is a prerequisite for growth. As staunch practitioners of multilateralism, Chinese courts seek to continuously expand the breadth and depth of judicial exchanges and cooperation, underpinned by their judicial functions to serve high-level opening-up. Up till now, China has concluded 171 bilateral judicial assistance treaties with 83 countries and has joined nearly 30 international conventions that involve cooperation in judicial assistance and extradition, which cover over 130 countries. The Supreme People’s Court of China deepens cooperation in criminal justice with countries involved in the Belt and Road. By actively engaging in international judicial assistance as well as global cooperation in anti-corruption, fugitive pursuit, and asset recovery, it has contributed to the global efforts in combatting and preventing transnational crimes. Chinese courts severely punish violent terrorism, ethnic separatism, religious extremism among other series crimes in accordance with the law, and crack down on transnational and cross-border drug trafficking, telecommunications fraud, human trafficking, smuggling, money laundering, gambling and other crimes. We handle criminal cases involving international investment, international trade, and transnational finance fairly and properly as per the law, so as to create a safe and stable social environment for the Belt and Road cooperation. Standing at a new starting point on the 10<sup>th</sup> anniversary of the Belt and Road cooperation, **Chinese courts stand ready** to deepen high-quality judicial cooperation with all stakeholders. This includes enhancing communication and collaboration in criminal judicial

assistance and combating transnational crimes, so as to build a collaborative counter-terrorism mechanism in the judicial field, curb the spread of terrorism, jointly combat transnational crimes at sea, and safeguard national sovereignty, security, and development interests. Efforts will also be made to effectively strengthen the protection of human rights through judicial means, ensuring a safe and stable social environment for high-quality Belt and Road cooperation.

**Secondly, creating a fair and orderly market environment.** Focusing on enhancing connectivity, the Belt and Road Initiative aims to deepen practical cooperation, address risks and challenges faced by humanity through collaborative efforts, and achieve mutual benefits and development for all. Chinese courts uphold the principles of equal rights, equal application of the law, and equal legal liabilities for all types of market entities in litigation, and accurately apply international treaties, international conventions, and applicable laws in handling cases related to the Belt and Road Initiative, in a bid to level the playing field and maintain sound regulation in the marketplace. We give full play to the exemplary role of financial courts, harmonize the application of law in international financial cases to maintain the order of cross-border financial transactions. We have formulated and improved judicial interpretation of the Foreign Investment Law and are strictly implementing the “pre-establishment national treatment plus negative list” management system, in order to stabilize market expectations for both domestic and foreign investors. We put emphasis on judicial assistance and cooperation among en-route countries to promote efficient resolution of cross-border disputes and create a stable legal environment conducive to trade and investment. The “*Joint Initiative on Strengthening IP Cooperation among Countries along the Belt and Road*” has been implemented, which has improved the judicial protection mechanisms and methods for handling cases involving intellectual property rights, playing an active part in global intellectual property governance within the framework of the World Intellectual Property Organization. China is now the country with the highest number of intellectual property cases, particularly patent cases, and also one of the countries with the shortest trial periods. Chinese judicial cases have become an important source of

rich international legal practice. 36 judicial cases have been included in the UNCITRAL Digest of Case Law, 30 intellectual property cases in the WIPO Lex Database, and 45 environmental judicial cases on the website of the UNEP. Standing at the new starting point, **Chinese courts stand ready** to join all stakeholders to abide by international treaties, respect international practices, fulfill international obligations, and continue to uphold the principle of equal protection. We will properly handle Belt and Road cooperation related cases in accordance with the law and promote trade and investment liberalization and facilitation. We will support the coordination and harmonization of regional trade laws and rules, so as to create a law-based business environment and jointly consolidate the legal foundation for high-quality Belt and Road cooperation.

**Thirdly, creating a beautiful and livable ecological environment.** Green is the defining feature of the Belt and Road cooperation. China attaches great importance to ecological progress and remains steadfast in prioritizing ecological considerations and promoting green development, in pursuit of modernization based on harmony between humanity and nature. Chinese courts are committed to protecting the environment through the strictest regulations and rule of law and imposing severe penalties on all types of environmental crimes according to the law. We have established a judicial mechanism of ecological restoration, which contributes to the collaborative efforts in reducing carbon emissions, minimizing pollution, increasing afforestation, and promoting sustainable growth to achieve the carbon peaking and carbon neutrality goals and support high-quality development and high-level protection through high-quality judicial trials. We have formulated several judicial interpretations regarding the jurisdiction of maritime cases and judicial protection of marine environment, providing strong institutional support for strengthening marine ecological protection, conducting marine governance in accordance with the law, and serving the development of the marine economy. We have gradually promoted specialized judicial practices, establishing a comprehensive national maritime judicial system, including 11 maritime courts and 42 dispatched tribunals. China has become the country with the most complete range of maritime judicial institutions which

handles the largest number of maritime cases worldwide. Standing at the new starting point, **Chinese courts stand ready** to join all stakeholders to practice the concept of green development. In particular, we will promote cooperation in such areas as green infrastructure, green energy, green transportation, and green finance. We will actively fulfill international conventions, participate in global environmental governance, and work together to write splendid chapters of green development along the Belt and Road as we harness the power of the rule of law.

**Fourthly, creating a fair and efficient environment for the rule of law.** The best business environment is the one that prioritizes the rule of law. It is the prerequisite for regional economic cooperation, connectivity, as well as cross-border investment and trade. Chinese courts pay full respect to the rights of Chinese and foreign parties to voluntarily choose their preferred methods for dispute resolution. We have actively explored new paths for establishing mechanisms and institutions for resolving international commercial disputes, working to provide effective judicial services for the Belt and Road cooperation, high-level trade and investment liberalization and facilitation, and an open world economy. We have successively issued two guiding opinions to facilitate and safeguard the Belt and Road cooperation, released 40 typical cases related to Belt and Road cooperation in four batches, and improved relevant laws and rules for application to promote mutual recognition and enforcement of judicial judgments. The first and second international commercial courts of the Supreme People's Court have been established in Shenzhen and Xi'an, and the International Commercial Expert Committee has been set up to establish a one-stop diversified international commercial dispute resolution platform that combines litigation, arbitration, and mediation. Currently, the Supreme People's Court of China has established friendly exchanges with over 140 countries and regions, supreme judicial institutions, as well as over 20 international or regional organizations. Over 70 cooperation agreements or memoranda have been signed with foreign judicial institutions and international organizations. China has actively participated in major consultations and negotiations in the field of international law. Since 2013, we have been engaged in the review of compliance for 10 international

conventions, negotiations on 11 international conventions and model laws, as well as negotiations on over 40 bilateral and multilateral judicial assistance agreements, contributing China's wisdom to better international investment, trade, and shipping rules. Standing at a new starting point, **Chinese courts stand ready** to work with all parties to adhere to the principles of extensive consultation, joint contribution, and shared benefits, as we strengthen cooperation mechanisms in judicial assistance, case studies, and legal application and maintain a regional cooperative environment that promotes fair competition, honesty and integrity, harmony and win-win outcomes. By delivering higher-quality legal services, we strive to stabilize expectations, promote development, and bring benefits to all. Through practical legal cooperation, we aim to drive economic globalization towards a more open, inclusive, equitable, balanced, and mutually beneficial direction.

**Fifthly, creating a convenient and intelligent facilitating environment.**

Nowadays, the ever-changing technologies such as the internet, big data, cloud computing, artificial intelligence, and blockchain are profoundly transforming the way we produce, live, and govern society. Chinese courts have made vigorous efforts to apply digital technology in court work, launching a series of measures to provide efficient and convenient litigation services for both Chinese and foreign parties. The online litigation service platform has been extensively promoted. This platform allows users to access main court functions online, such as case filing, mediation, service of legal documents, examination of evidence, court hearings, and enforcement of witnesses, greatly facilitating litigation for all parties involved. Proactive efforts have also been made to explore Internet justice. Internet courts in Beijing, Hangzhou and Guangzhou have handled a series of new types of cases involving the protection of virtual assets, determination of rights over big data, and copyright issues related to AI creations, serving as exemplars in resolving disputes in the digital era. Standing at the new starting point, **Chinese courts stand ready** to join all stakeholders to continue to embrace innovation-driven development and deepen research on Internet judicial rules and cooperation in global governance. We are willing to share our experience in applying IT and expediting modernization in judicial work, so as to better support the

development of new technologies, new models, and new formats in industries and economies of various countries and serve the construction of the Digital Silk Road of the 21st century.

**Ladies and gentlemen, friends, distinguished guests:**

The Belt and Road Initiative is not a solo endeavor by China, but a collaborative effort involving all stakeholders. All countries are equal participants, contributors and beneficiaries on the way to achieve high-quality Belt and Road cooperation. Looking ahead, Chinese courts will join courts from various countries and international organizations to uphold the Silk Road spirit of peace and cooperation, openness and inclusiveness, mutual learning and mutual benefits, enhance candid exchanges, deepen practical cooperation, and strive for a more prosperous and promising future for high-quality Belt and Road cooperation as we harness the power of the rule of law. Together, we aim to build a world characterized by lasting peace, universal security, shared prosperity, openness and inclusiveness, as well as a clean and pleasant environment.

Thank you!